

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FAYETTEVILLE DIVISION

GERALD VAN LAAR

PLAINTIFF

V.

CASE NO. 07-5224

AT&T f/k/a SOUTHWESTERN BELL  
TELEPHONE L.P.

DEFENDANT

**JUDGMENT**

This matter came before the Court for trial by jury beginning on September 8, 2008. The Plaintiff appeared in person and through his attorneys, Rebekah Kennedy and C. Brian Meadors. The Defendant appeared through its attorney, Byron Freeland, as well as its corporate representative, Brett Seaman. All parties announced ready for trial. A jury of twelve was duly selected and sworn. On September 10, 2008, the jury returned its verdict as follows:

**VERDICT**

INTERROGATORY NO. 1: On the constructive discharge claim of the plaintiff, as described in Jury Instruction No. 11, we find in favor of:

Defendant.

/s/ Foreperson

Date: 9-10-08

INTERROGATORY NO. 2: As described in Jury Instruction No. 12, do you find that defendant exercised reasonable care to prevent and correct promptly any harassing behavior; and that the plaintiff unreasonably failed to take advantage of internal or external procedures or steps to correct any harassing behavior?

No.

/s/ Foreperson

Date: 9-10-08

INTERROGATORY NO. 3: As described in Jury Instruction No. 13, do you find, by the preponderance of the evidence, that the defendant knew its actions were in violation of the federal law prohibiting age discrimination, or acted with reckless disregard of that law?

No.

/s/ Foreperson

Date: 9-10-08

Therefore, in accordance with the jury's verdict the Plaintiff's Complaint is hereby dismissed with prejudice, and each party shall bear its own costs.

IT IS SO ORDERED this 17<sup>th</sup> day of September, 2008.

/s/ Jimm Larry Hendren  
HONORABLE JIMM LARRY HENDREN  
UNITED STATES DISTRICT JUDGE